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Subject: EPA Mid-Atlantic Region Headlines - Thursday, February 14, 2019

EPA Mid-Atlantic Region Headlines

Thursday, February 14, 2019

*** DAILY HOT LIST ***

EPA vows national action on toxic 'forever' chemicals

WASHINGTON POST The Environmental Protection Agency on Thursday unveiled what officials called a historic effort to rein in a class of long-lasting chemicals that scientists say pose serious health risks. But environmental and public health groups, some lawmakers and residents of contaminated communities said the agency's "action plan" isn't aggressive enough and that the EPA should move more quickly to regulate the chemicals in the nation's drinking water. The EPA promised last spring to devise a plan to address the widespread contamination caused by perfluoroalkyl and polyfluoroalkyl compounds, or PFAS, which have been detected in the drinking water of millions of Americans. The agency's leader at the time, Scott Pruitt, called the problem "a national emergency." The man-made chemicals have long been used in an array of consumer products, from water-repellent fabrics to nonstick cookware to grease-resistant paper products, as well as in firefighting foams used at airports and on military bases. Long-term exposures have been associated with an array of health problems, including thyroid disease, weakened immunity, infertility risks and certain cancers. Because they do not break down in the environment, they have become known as "forever chemicals." In its plan Thursday, agency officials vowed by year's end to begin the lengthy process of setting drinking water limits for two of the most widely detected compounds, known as PFOS and PFOA. The EPA also said it will issue new guidance on cleaning up groundwater contaminated by the chemicals, require more testing for PFAS chemicals in public water systems around the country, undertake more research on the health effects of less-studied compounds and better communicate the risks to communities around the country. "Americans count on EPA every time they turn on their faucet," EPA Acting Administrator Andrew Wheeler said at a news conference in Philadelphia on Thursday. "That's why communities across the nation have asked us to provide a comprehensive approach to understanding PFAS in drinking water. Our action plan provides just that." "Through these actions, we are stepping up to provide the leadership the public needs and deserves," Wheeler said...

DuPont Faces Legal Risks in Today's PFAS News

BLOOMBERG ENVIRONMENT The EPA's plan to address nonstick chemicals in drinking water means more monitoring of water supplies, which could mean more lawsuits for DowDuPont Inc. and the Keds shoe manufacturer. Increasing monitoring and developing more detection methods are among the steps the Environmental Protection Agency plans to take to understand where the group of chemicals, per- and polyfluoroalkyl substances, or PFAS, are being found and why, Dave Ross, assistant administrator for the EPA's Office of Water, said at a Feb. 14 briefing. The EPA began to recognize the risks and work to control some PFAS in the early 2000s. Asked why it is taking so long to address them, Ross said the EPA initially focused on getting two specific chemicals off the market. Those two chemicals are perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). The agency also focused on getting substitutes for both chemicals onto the market, he said. Much of the attention on the EPA's action plan has focused on whether or not the agency would regulate PFOS and PFOA, which are no longer made in the U.S. Those chemicals build up in human

and animal bodies, don't degrade in the environment, and could harm people's health. They also have been detected in drinking water systems across the country. Ross said the agency will start the rulemaking process for both chemicals this year, but he couldn't predict the result that will follow public comment and scientific critiques. In addition, the agency plans to further study ways different members of the PFAS group could affect human and ecological health and aims to increase its oversight of PFAS substitutes from chemical makers, according to Ross...

EPA to kick the can on PFAS drinking water standard

DOYLESTOWN INTELLIGENCER The EPA will announce a PFAS Action Plan in Philadelphia on Thursday. Sources say it has not committed to setting a formal drinking water standard. After much anticipation, the Environmental Protection Agency will kick the can on whether or not to set a federal drinking water standard for PFAS chemicals during a press conference in Philadelphia Thursday morning, according to several sources briefed on the matter. The agency has been under increasing pressure from environmental groups, lawmakers and impacted communities to set a formal drinking water limit under the Safe Drinking Water Act for the chemicals, also known as per- and polyfluoroalkyl substances. That led to an announcement Wednesday that the EPA will unveil a much-anticipated "Action Plan" on toxic PFAS chemicals Thursday morning. The plan will be unveiled at the EPA Region 3 headquarters in Philadelphia during a 9 a.m. news conference, which will be attended by EPA acting administrator Andrew Wheeler and regional administrator Cosmo Servidio, also a Buckingham resident.... The EPA's press office pushed back on the Politico reporting, saying no decision had yet been made. Its announcement of the Thursday press conference also included language that seemed to suggest the agency might act on a drinking water standard. "EPA's Action Plan will move forward with the (drinking water standard) process outlined in the Safe Drinking Water Act for PFOA and PFOS," the release stated, adding it would also "Continue our enforcement actions and clarify our clean up strategies, expand monitoring of PFAS in the environment, and enhance our research and scientific foundation for addressing PFAS." But sources who took part in a private, national conference call the EPA hosted Wednesday afternoon said the EPA has not formally committed to setting a standard. Instead, they said the EPA only committed to making a "determination" of whether to set a standard by the end of the year, essentially kicking the can on a decision. If the agency did commit to creating a standard at that point, it would likely take additional years to actually go through the process of creating one. Sources, who requested anonymity to reveal details of the call ahead of public announcements, said the EPA did commit to listing PFOS and PFOA on a list of hazardous substances under the federal Superfund law. The listing is expected to add more teeth to communities dealing with contamination, and those on the call said the EPA also gave that assurance. The EPA will also add PFAS to an upcoming unregulated contaminant monitoring program, in which the EPA will test water utilities nationwide for the presence of the chemicals. The EPA already did such testing years ago for PFOS and PFOA, and it was unclear which chemicals would be included in the new program, although one source said it would involve updated and more precise testing than the prior program. The EPA would also develop a number of "toolkits" for use by impacted states and communities, including materials to assess human health impacts, identify potential sources of PFAS exposure, and the creation of a "toolbox" for municipalities. An EPA spokeswoman asked for comment Wednesday evening responded by repeating the statements already made in the agency's announcement of the Thursday press conference.

Environmental groups plan to sue U.S. Steel over air pollution

PITTSBURGH POST-GAZETTE Two environmental organizations have notified the U.S. Steel Corp. that they will file a federal lawsuit alleging ongoing violations of the U.S. Clean Air Act at the company's Clairton Coke Works, and Edgar Thomson and Irvin steel mills. The 60-day notice of intent to sue was filed with the company, as well as county, state and federal environmental regulatory agencies Wednesday by the Clean Air Council and PennEnvironment. Ashley Deemer, PennEnvironment's Western Pennsylvania director, said at a news conference Downtown that the three coke and steelmaking facilities, known collectively as the Mon Valley Works, have been operating in violation of multiple permit requirements since a Dec. 24 fire disabled pollution controls on the coke gas purification system at Clairton. Since the fire, Ms. Deemer said, the air in Clairton and Braddock and Pittsburgh has been "noticeably worse" due to flaring and venting of the gas, which contains toxic and carcinogenic pollutants, including benzene, styrene, lead, mercury and cyanide. She said the Allegheny County Health Department has issued an advisory urging residents with respiratory and heart conditions, the elderly and children to limit outdoor activity. "We cannot expect families to sustain this

kind of health burden and trauma, and we cannot expect kids to learn, grow, and flourish when they are confined to their homes or unable to breathe," she said. There have been nine exceedances of federal air quality standards for sulfur dioxide in the Mon Valley since the Dec. 24 fire. The compound is a odorless gas that smells similar to a burnt match, and is one of six "criteria" pollutants identified and regulated by the federal Clean Air Act. High concentrations of the compound in the air can affect breathing and aggravate respiratory and cardiovascular disease, including asthma, bronchitis or emphysema...

PWSA constructing facility to reduce lead in city's water

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Southern Delaware chicken plant spills up to 1 million gallons of wastewater

WILMINGTON NEWS JOURNAL Mountaire Farms has been ordered to clean up to 1 million gallons of partially treated wastewater that spilled into the ground at its chicken plant near Millsboro, state officials said on Wednesday. The spill was discovered about 5 a.m. on Wednesday and was caused "by mechanical failure of a wastewater system component," according to a press release issued by the Delaware Department of Natural Resources and Environmental Control nearly 12 hours after the release. State environmental officials said the leak was contained on Mountaire's property and did not reach nearby Swan Creek. "DNREC has directed Mountaire Farms to take all appropriate steps to mitigate this release and minimize any adverse impacts to the environment," DNREC said in the release. Cleanup efforts are underway, as is an investigation by state regulators, according to the agency. DNREC estimated between 750,000 and 1 million gallons were released, as reported to the state by Mountaire on Wednesday. The agency did not say how long the "partially treated" wastewater had been leaking. "The portion of our wastewater system that caused the release just went into operation in late January, and is designed to reduce nutrient levels in the wastewater that is sprayed on the land where the release occurred," Mountaire spokeswoman Cathy Bassett said in an email. "There is absolutely no risk to our employees, to the public, or to the environment as a result of this release. Cleanup should be completed by this evening and the recycling operation will resume tomorrow." Meanwhile, Mountaire is facing several lawsuits related to violations of its state-issued waste disposal permits. Two separate law firms are pursuing state- and federal-level cases against the company, alleging that violations found by state officials could have harmed the health and drinking water quality of neighbors. "This is why my clients do not trust Mountaire or DNREC to keep Mountaire's plant safe," said attorney Thomas Crumplar, who is representing dozens of neighbors. Mountaire's processing plant on the outskirts of Millsboro off Route 24 processes nearly 2

million chickens every week, among other poultry-related operations. It disposes of sludge and treated wastewater from those processes on hundreds of acres of nearby farm fields. In 2017, state environmental regulators issued a notice that the company had violated those permits multiple times, mainly in the summer of 2017 but as far back as 2015.

Shutdown-Avoiding Spending Package Includes 1.9 Percent Pay Raise for 2019

GOVERNMENT EXECUTIVE Congress is poised to override President Trump's decision last year to freeze federal civilian pay in 2019, according to House leaders. A spending deal between House and Senate appropriators released late Wednesday provided a 1.9 percent across-the-board raise to federal workers this year, the same amount agreed to last year before negotiations broke down over Trump's demand for \$5.7 billion in funding for a wall along the U.S.-Mexico border. Trump's refusal then to sign onto a short-term continuing resolution triggered a 35-day partial government shutdown. The legislation would apply the pay increase retroactive to Jan. 1. Congress has until midnight Friday to approve a measure to avert another shutdown, which would impact the departments of Transportation, Housing and Urban Development, State, Interior, Agriculture, Treasury, Commerce, Homeland Security and Justice, as well as the Environmental Protection Agency, NASA, Office of Personnel Management and other independent agencies. On Monday night, negotiators announced that they had reached a deal "in principle" to fund the government until the end of the fiscal year. That deal includes \$1.375 billion in funding for a border "barrier," and although Trump has not outright stated he would sign it, he has hinted that he would do so by predicting there would not be a second shutdown. The Senate plans to vote on the deal Thursday and House leadership said that chamber plans to put the measure up for a vote Thursday evening, after lawmakers return from funerals for the late Reps. John Dingell, D-Mich., and Walter Jones, R-N.C.

PENNSYLVANIA

PHILADELPHIA INQUIRER

EPA says it has a plan to address PFAS in drinking water — and will announce it in Philly tomorrow The U.S.

Environmental Protection Agency says it is prepared to "move forward" with a plan to address the PFAS contamination that has tainted drinking water and groundwater in communities nationwide, including taking steps to begin the process of creating a drinking-water limit for the chemicals. Amid public outcry and mounting pressure from elected officials, acting Administrator Andrew Wheeler will detail the plan during a news conference Thursday in Philadelphia, the EPA said Wednesday. About 70,000 residents in Bucks and Montgomery Counties were among the first in the nation to discover their drinking water had been contaminated for decades. A congressional aide briefed on the matter said the EPA's five-part plan includes looking at setting an enforceable limit for PFAS under the Safe Drinking Water Act, and adding the chemicals to a list of hazardous substances, which could allow communities to hold polluters accountable. The plan also involves more monitoring and research about the chemicals by the federal government, according to the aide, who was not authorized to speak publicly about the announcement. The suggestion that the EPA would take steps toward creating a maximum contaminant level — a standard for how much of the chemicals is safe to drink — for PFOA and PFOS, two types of PFAS, could run contrary to a Politico report last month that the EPA would not pursue a drinking water limit for the chemicals. That report sparked outrage from environmentalists and elected officials, and drew

suggestions that PFAS could be an issue in Wheeler's confirmation to the administrator post. It remains unclear whether the EPA will create such a limit. Even if it did, the process would be lengthy and the limit less restrictive than hoped for by advocates. In recent weeks, members of Congress, including representatives from the Philadelphia region, announced the formation of a PFAS task force, saying they would put pressure on the EPA to regulate the chemicals. "I am pleased the administration is finally putting together an action plan to address the PFAS issues in drinking water across our nation," Sen. Bob Casey (D., Pa.) said on Wednesday. "I have long pushed and petitioned them to address these issues impacting Bucks and Montgomery Counties. I look forward to seeing the results and plan on keeping a close watch on their progress." On Wednesday evening, Wheeler told ABC News that the chemicals were a "very important threat" and that the "new management plan" would "protect Americans' drinking water." The plan to be unveiled will also "continue our enforcement actions and clarify our cleanup strategies, expand monitoring of PFAS in the environment, and enhance our research and scientific foundation for addressing PFAS by developing new analytical methods and tools," according to the EPA. "This action is long overdue, and acting EPA Administrator Wheeler must ensure that PFAS remediation is an immediate priority of the agency," said Rep. Brian Fitzpatrick (R., Pa.). "I am hopeful Thursday's announcement will unveil an aggressive and impactful strategy to counter this public health crisis affecting communities in Bucks and Montgomery Counties and across the United States."...

PITTSBURGH POST-GAZETTE

Environmental groups plan to sue U.S. Steel over air pollution

Two environmental organizations have notified the U.S. Steel Corp. that they will file a federal lawsuit alleging ongoing violations of the U.S. Clean Air Act at the company's Clairton Coke Works, and Edgar Thomson and Irvin steel mills. The 60-day notice of intent to sue was filed with the company, as well as county, state and federal environmental regulatory agencies Wednesday by the Clean Air Council and PennEnvironment. Ashley Deemer, PennEnvironment's Western Pennsylvania director, said at a news conference Downtown that the three coke and steelmaking facilities, known collectively as the Mon Valley Works, have been operating in violation of multiple permit requirements since a Dec. 24 fire disabled pollution controls on the coke gas purification system at Clairton. Since the fire, Ms. Deemer said, the air in Clairton and Braddock and Pittsburgh has been "noticeably worse" due to flaring and venting of the gas, which contains toxic and carcinogenic pollutants, including benzene, styrene, lead, mercury and cyanide. She said the Allegheny County Health Department has issued an advisory urging residents with respiratory and heart conditions, the elderly and children to limit outdoor activity. "We cannot expect families to sustain this kind of health burden and trauma, and we cannot expect kids to learn, grow, and flourish when they are confined to their homes or unable to breathe," she said. There have been nine exceedances of federal air quality standards for sulfur dioxide in the Mon Valley since the Dec. 24 fire. The compound is a odorless gas that smells similar to a burnt match, and is one of six "criteria" pollutants identified and regulated by the federal Clean Air Act. High concentrations of the compound in the air can affect breathing and aggravate respiratory and cardiovascular disease, including asthma, bronchitis or emphysema...

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The Pittsburgh Water and Sewer Authority broke ground Tuesday on infrastructure that will release a lead-reducing additive into the city's water supply. The facility in Highland Park will both store and distribute an additive called orthophosphate, commonly used by water utilities to shield pipes from corrosion that causes lead to leach into water. The new Highland Park facility is expected to be completed and orthophosphate to be added to tap water in early spring, according to spokesman Will Pickering. The full scope of the application of orthophosphate depends on state Department of Environmental Protection consent. "It will ultimately be up to DEP to determine whether we can begin applying orthophosphate to limited sections of our distribution system, or if we have to wait and begin applying orthophosphate across the entire system at the same time," Mr. Pickering said. Though lead levels in the system were lower over the summer, test results for December went over the threshold for houses with lead service lines. In January, PWSA approved \$35.9 million to continue lead line replacements in 2019. The authority anticipates replacing roughly 10,000 lead service lines by 2026. On Feb. 1, Pennsylvania Attorney General Josh Shapiro charged PWSA with 161 third-degree misdemeanors relating to lead line replacements, alleging that the authority did not fully notify residents of potential health

risks. The authority vowed to fight the charges. PWSA has removed more than 2,760 lead service lines over the past few years amid water test results showing elevated lead levels at some homes. The utility must replace at least 7 percent of its lead service lines each year until 90 percent of tested homes consistently show the metal at 15 parts per billion or less. PWSA estimated about 12,500 of 81,000 residential service ...

PITTSBURGH TRIBUNE REVIEW

Westmoreland Authority To Test Chlorine Alternative In McKeesport A small-scale treatment plant will be built at the Municipal Authority of Westmoreland County's McKeesport facility to test a new chemical additive that officials said could improve the taste and smell of the system's drinking water. The authority will spend \$170,000 to construct the mock treatment plant that will serve only as self-contained test system to study the impact of adding peracetic acid to the water. Officials said the chemical is seen as a safer alternative to chlorine, which is added to disinfect water during the oxidation and treatment processes before it is released to customers. "It is going to reduce the taste and odor complaints typically associated with chlorine," said Jack Ashton, the authority's assistant manager. The authority currently uses chlorine both prior to and after drinking water is treated. Peracetic acid is currently used to treat drinking water in Texas and Kentucky, but has not been approved for use in Pennsylvania, Ashton said. The state's Department of Environmental Protection has approved the municipal authority to test the chemical locally but has not authorized it to be added to water distributed to the public. To test the chemical, the authority will build a small, identical version of its McKeesport plant to simulate the water treatment process and monitor the water over the next year to determine that it is safe to drink...

STATE IMPACT PENNSYLVANIA (NPR)

EPA to unveil long-awaited 'Action Plan' on curbing toxic PFAS chemicals Campaigners concerned the agency won't immediately set enforceable health standards. The U.S. Environmental Protection Agency will announce on Thursday a long-awaited plan for how to manage the toxic PFAS class of chemicals, which has contaminated drinking water and soil in many parts of the United States including the Horsham and Warrington area of eastern Pennsylvania. The agency said its "Action Plan" will include monitoring and cleaning up the chemicals, which are linked to cancer and other health conditions including high cholesterol, low birth weights, and immune system problems. But it is unclear whether the agency will also propose enforceable Maximum Contaminant Limits (MCLs) for drinking water, which advocates say are essential for protecting human health against the chemicals. Implementation of any new standards could take years. "EPA's Action Plan will move forward with the Maximum Contaminant Level (MCL) process outlined in the Safe Drinking Water Act for PFOA and PFOS—two of the most well-known and prevalent PFAS chemicals," the agency said Wednesday... U.S. Rep. Brian Fitzpatrick, a Bucks County Republican who co-founded of a group of House lawmakers calling for stricter PFAS standards, said Wednesday he was "cautiously optimistic" that the EPA announcement would curb the chemicals but said he had no more information than was contained in the EPA's advisory. "That sounds good but we want to know the details," Fitzpatrick said. "This is a very serious matter for a lot of people in our community in Bucks and Montgomery Counties." David Andrews, senior scientist at Environmental Working Group, a national advocate for PFAS curbs, said he expects EPA to nudge the regulatory process forward but not to propose specific MCLs. "The next step would be a regulatory determination that they would pursue MCLs so if they follow that process it would be an incremental step," Andrews said...

Wolf's support for pipeline-safety bills boosts bipartisan advocates A raft of bills on pipeline safety may have a better chance of becoming law in Pennsylvania after Gov. Tom Wolf formally backed some of them in a statement that strongly criticized Sunoco's construction of the Mariner East pipelines. Most of the bills failed to move through the Legislature during the previous session, but were reintroduced in early January amid rising public concern about the safety of lines carrying highly explosive materials such as natural gas liquids through densely populated areas. Although the bills' future remains unclear, the prospects for at least some of them brightened on Feb. 8 when Gov. Wolf called on the Legislature to fill what he called "gaps" in the law that have restricted the ability of his administration to protect public safety and the environment during pipeline construction and operation. The Democratic governor urged the "speedy passage" of bills that would give the Public Utility Commission authority over where pipelines can be built; would require operators to disclose details of any pipelines that are within 1,000 feet of a school; would require carriers of natural gas or its liquids to coordinate with local emergency officials; and would require installation of shutoff valves in so-called high-consequence areas...

Environmental groups plan to sue US Steel after Clairton fire A pair of environmental groups says they plan to sue U.S. Steel following the December fire at Clairton Coke Works that damaged pollution control equipment. PennEnvironment and the Clean Air Council alleged Wednesday that several of the company's Mon Valley facilities are operating in violation of their Clean Air Act permits. Coke oven gas produced at Clairton normally goes through a desulfurization process before it's flared or used as fuel. The groups say some of the gas gets piped to U.S. Steel's nearby Irvin and Edgar Thomson plants. Because the facilities continue to use the gas without sending it through the desulfurization equipment, which was damaged by the fire, the groups contend the facilities are violating their permits. "We will not sit idly by and let a chronic polluter run roughshod over our environmental laws and put the health of our residents at risk," said Ashleigh Deemer, PennEnvironment's western Pennsylvania director. Since the fire, nearby air monitors have detected high levels of sulfur dioxide, which can be a respiratory irritant in high doses. Several spikes occurred in December and early January at the Allegheny County Health Department's Liberty monitor, and another in early February in North Braddock. Lifelong Clairton resident Melanie Meade attended a press conference Wednesday announcing the legal action. She said she was grateful the environmental groups were taking on U.S. Steel. "It is as if no one hears us and no one cares about our health and our wellbeing, and we have been looked over," she said. "That should stop. This lawsuit allows them to know that we have support and we are willing to fight for our health and our wellbeing."...

Solar jobs grow in Pennsylvania while declining nationally Jobs in Pennsylvania's solar industry grew 10 percent last year, while declining three percent nationally, according to a new analysis. The National Solar Jobs Census 2018 was published this week by the Solar Foundation, a nonprofit that promotes solar energy. The foundation has tracked U.S. solar job growth since 2010 and found employment has grown 159 percent since its first census was released. Nationally, the solar industry employed 242,343 workers last year. The group attributes last year's broader slowdown to solar companies delaying many utility-scale projects at the end of 2017 as they waited for the outcome of new tariffs on solar panels. "Despite some growing pains, things look very positive in 2019 and beyond," said Ed Gilliland, senior director for The Solar Foundation. Amid the overall decline, the report found Pennsylvania solar employment jumped 10 percent last year, with 4,219 workers. The foundation ranks Pennsylvania 17th among states for solar jobs...

6 ABC PHILADELPHIA

EPA to address forever chemicals during Philadelphia briefing PHILADELPHIA -- The Environmental Protection Agency is expected to announce a plan for dealing with a class of long-lasting chemical contaminants amid complaints from members of Congress and environmentalists that it's not moved aggressively enough to regulate them.

So-called forever chemicals, perfluoroalkyl and polyfluoroalkyl compounds, or PFAS, pose "a very important threat," acting EPA Administrator Andrew Wheeler said in an interview with ABC News Live ahead of a scheduled briefing Thursday in Philadelphia. Wheeler said the agency was moving forward with the process under the Safe Drinking Water Act that could lead to new safety thresholds for the presence of the chemicals in water, but he did not commit in the interview to setting standards. The chemicals are found in consumer products ranging from fabrics, rugs and carpets to cooking pots and pans, outdoor gear, shampoo, shaving cream, makeup and even dental floss. Increasing numbers of states have found them seeping into drinking water supplies. Scientific studies have found "associations" between the chemicals and cancer, thyroid disease, ulcerative colitis and other health issues. With the Senate considering whether to confirm him as EPA chief, Democratic and Republican lawmakers have pressed Wheeler to establish mandatory limits for PFAS in public water systems. Republican Sen. Shelley Moore Capito, whose state of West Virginia was one of the first where PFAS contamination was linked to human health problems, said she voted for Wheeler's appointment in committee earlier this month only after he privately assured her the EPA would tackle the problem. Capito was one of 20 senators who wrote to Wheeler demanding ceilings on two phased-out types of PFAS chemicals. They pressed Wheeler for other "immediate actions" to protect the public from other versions of the industrial compounds. Senate Minority Leader Chuck Schumer, D-N.Y., also called for legal limits and said if EPA balked, Wheeler "didn't deserve" to run the agency...

DOYLESTOWN INTELLIGENCER

EPA to kick the can on PFAS drinking water standard he EPA will announce a PFAS Action Plan in Philadelphia on Thursday. Sources say it has not committed to setting a formal drinking water standard. After much anticipation, the Environmental Protection Agency will kick the can on whether or not to set a federal drinking water standard for PFAS

chemicals during a press conference in Philadelphia Thursday morning, according to several sources briefed on the matter. The agency has been under increasing pressure from environmental groups, lawmakers and impacted communities to set a formal drinking water limit under the Safe Drinking Water Act for the chemicals, also known as per- and polyfluoroalkyl substances. That led to an announcement Wednesday that the EPA will unveil a much-anticipated "Action Plan" on toxic PFAS chemicals Thursday morning. The plan will be unveiled at the EPA Region 3 headquarters in Philadelphia during a 9 a.m. news conference, which will be attended by EPA acting administrator Andrew Wheeler and regional administrator Cosmo Servidio, also a Buckingham resident.... The EPA's press office pushed back on the Politico reporting, saying no decision had yet been made. Its announcement of the Thursday press conference also included language that seemed to suggest the agency might act on a drinking water standard. "EPA's Action Plan will move forward with the (drinking water standard) process outlined in the Safe Drinking Water Act for PFOA and PFOS," the release stated, adding it would also "Continue our enforcement actions and clarify our clean up strategies, expand monitoring of PFAS in the environment, and enhance our research and scientific foundation for addressing PFAS." But sources who took part in a private, national conference call the EPA hosted Wednesday afternoon said the EPA has not formally committed to setting a standard. Instead, they said the EPA only committed to making a "determination" of whether to set a standard by the end of the year, essentially kicking the can on a decision. If the agency did commit to creating a standard at that point, it would likely take additional years to actually go through the process of creating one. Sources, who requested anonymity to reveal details of the call ahead of public announcements, said the EPA did commit to listing PFOS and PFOA on a list of hazardous substances under the federal Superfund law. The listing is expected to add more teeth to communities dealing with contamination, and those on the call said the EPA also gave that assurance. The EPA will also add PFAS to an upcoming unregulated contaminant monitoring program, in which the EPA will test water utilities nationwide for the presence of the chemicals. The EPA already did such testing years ago for PFOS and PFOA, and it was unclear which chemicals would be included in the new program, although one source said it would involve updated and more precise testing than the prior program. The EPA would also develop a number of "toolkits" for use by impacted states and communities, including materials to assess human health impacts, identify potential sources of PFAS exposure, and the creation of a "toolbox" for municipalities. An EPA spokeswoman asked for comment Wednesday evening responded by repeating the statements already made in the agency's announcement of the Thursday press conference. Additional details on the EPA's plan are expected to be released at the conference. The event is open to the public and will be held at 1650 Arch St., Philadelphia. It will also be livestreamed at www.epa.gov/live.

HARRISBURG PATRIOT NEWS

Editorial: It's Time To Pass Sunday Hunting State residents fall into, basically, "hell, yes" and "hell, no" camps on the question of Sunday hunting, with many hunters and rural residents in favor, and urban dwellers, farmers, hikers, horseback riders and even some hunters opposed. This year, there's a major burst of momentum on the "yes" side -- Senate Bill 147 passed the Senate Game and Fisheries Committee 8-3 earlier this month. It would lift the current prohibition against most Sunday hunting (it's already allowed for crows, coyotes and foxes), but with a nod toward some of the concerns of opponents. That bodes well for resolving the long-standing conflict because, whether you hunt or not, there are sensible arguments for expanding Sunday hunting, and there's no reason there can't be a successful compromise... The Sunday hunting question ultimately is rooted in Pennsylvania's culture, rural hunting and farming traditions and even religious beliefs. As such it deserves respectful discussion and dialogue -- after which it's time for compromise...

WTF HARRISBURG'S NPR STATION

EPA sets toxins response plan amid criticism from lawmakers (Washington) -- The Environmental Protection Agency is expected to announce a plan for dealing with a class of long-lasting chemical contaminants amid complaints from members of Congress and environmentalists that it's not moved aggressively enough to regulate them. So-called forever chemicals, perfluoroalkyl and polyfluoroalkyl compounds, or PFAS, pose "a very important threat," acting EPA Administrator Andrew Wheeler said in an interview with ABC News Live ahead of a scheduled briefing today in Philadelphia. PFAS-contaminated water is still being found below several communities in Bucks and Montgomery counties, several miles from the water's origin on a nearby military base. Wheeler said the agency was moving forward with the process under the Safe Drinking Water Act that could lead to new safety thresholds for the presence of the chemicals in water, but he did not commit in the interview to setting standards. The chemicals are found in consumer

products ranging from fabrics, rugs and carpets to cooking pots and pans, outdoor gear, shampoo, shaving cream, makeup and even dental floss. Increasing numbers of states have found them seeping into drinking water supplies...

LANCASTER NEWSPAPERS

Editorial: Congress ought to pass legislation that would thwart future federal government shutdowns THE ISSUE - Republican U.S. Sen. Pat Toomey and U.S. Rep. Lloyd Smucker met at the Lancaster County Government Center on Friday to promote legislation that would effectively end government shutdowns. As LNP's Sam Janesch reported, their plan — which has “been introduced but come up short repeatedly for decades” — would “allow federal agencies to remain funded if Congress fails to meet its deadlines.” Smucker and Toomey are promoting bills that are similar, but have some differences in approach, Janesch noted. This may make too much sense for Washington, D.C., where obvious solutions often fail to see the light of day. But of course lawmakers should pass legislation to defang shutdowns, effectively eliminating them as a means of swaying spending debates...

PA ENVIRONMENT DIGEST BLOG (By PA DEP)

DEP Unveils Plan To Increase Electric Vehicle Use In Pennsylvania On February 13, the Department of Environmental Protection released a plan to increase the use of electric vehicles in Pennsylvania that would result in almost \$2.8 billion in benefits from lower greenhouse gas emissions, help reduce respiratory disease, increase consumer savings, and create jobs. “Interest in electric vehicles is increasing, but until now there’s been no statewide plan to foster a cohesive approach,” said DEP Secretary Patrick McDonnell. “We developed research-based strategies for government and private planning and policy decisions to help increase the opportunities and benefits of electric vehicles across the state.” Led by DEP, a coalition of public and private partners called Drive Electric PA analyzed barriers to electric vehicle use. They developed Pennsylvania’s Electric Vehicle Roadmap, recommending 13 strategies to increase use of these zero-emission vehicles.

Partners include PennDOT; the state departments of General Services and Conservation and Natural Resources; the Public Utility Commission, Turnpike Commission; and about 100 industry, business, community, and academic partners...

Environmental Groups To Sue Over Clean Air Act Violations At Clairton Coke (Coal) Works, Other Facilities In Western PA

On February 13, PennEnvironment and Clean Air Council announced in a letter to the company they plan to sue U.S. Steel Corporation over continuing noncompliance with the federal Clean Air Act at the company’s Pittsburgh-area facilities -- Clairton Coke Works, Irvin Steel Mill and Edgar Thomson Plant. The facilities are part of U.S. Steel’s Mon Valley Works integrated steel making operation. Under the Clean Air Act, private individuals and organizations can sue violators in federal court after providing 60 days’ notice. The letter alleges that the facilities are producing and using coke oven gas without filtering it through necessary pollution controls, in violation of Clean Air Act permits. “For far too long, the Mon Valley Works has put residents’ health at risk,” said Ashleigh Deemer, PennEnvironment’s Western Pennsylvania Director. “We’re sending a clear message to U.S. Steel and all other polluters: We won’t let you run roughshod over cornerstone environmental laws and put our communities at risk.” Following a fire at the Clairton Coke Works on December 24, the plant continued to operate without key pollution controls, causing air pollution levels around the facility to rise past federal and state safety thresholds on thirteen occasions. Since the fire, asthma symptoms in children from the area have increased 36 percent, according to one study. ...

BLOOMBERG ENVIRONMENT

Sunoco to Face Trial in Pennsylvania Water Pollution Case Sunoco Pipeline LLC will have to face claims at trial that it violated federal and state law water standards by discharging pollution to Pennsylvania’s waters, the Eastern District of Pennsylvania ruled. Trial is scheduled to begin Oct. 15 in Philadelphia, Judge Paul S. Diamond said. In a one-page decision, Diamond denied Sunoco’s motion to dismiss claims that it unlawfully discharged sediment-laden water and other pollutants into Pennsylvania waters without a proper permit. The plaintiffs are Delaware Riverkeeper Network, The Delaware Riverkeeper, and Maya van Rossum. The case is Del. Riverkeeper Network v. Sunoco Pipeline L.P., E.D. Pa., No. 18-2447, 2/12/19.

ASSOCIATED PRESS (Pa.)

EPA to address forever chemicals during Philadelphia briefing PHILADELPHIA -- The Environmental Protection Agency is

expected to announce a plan for dealing with a class of long-lasting chemical contaminants amid complaints from members of Congress and environmentalists that it's not moved aggressively enough to regulate them. So-called forever chemicals, perfluoroalkyl and polyfluoroalkyl compounds, or PFAS, pose "a very important threat," acting EPA Administrator Andrew Wheeler said in an interview with ABC News Live ahead of a scheduled briefing Thursday in Philadelphia. Wheeler said the agency was moving forward with the process under the Safe Drinking Water Act that could lead to new safety thresholds for the presence of the chemicals in water, but he did not commit in the interview to setting standards. The chemicals are found in consumer products ranging from fabrics, rugs and carpets to cooking pots and pans, outdoor gear, shampoo, shaving cream, makeup and even dental floss. Increasing numbers of states have found them seeping into drinking water supplies. Scientific studies have found "associations" between the chemicals and cancer, thyroid disease, ulcerative colitis and other health issues. With the Senate considering whether to confirm him as EPA chief, Democratic and Republican lawmakers have pressed Wheeler to establish mandatory limits for PFAS in public water systems. Republican Sen. Shelley Moore Capito, whose state of West Virginia was one of the first where PFAS contamination was linked to human health problems, said she voted for Wheeler's appointment in committee earlier this month only after he privately assured her the EPA would tackle the problem. Capito was one of 20 senators who wrote to Wheeler demanding ceilings on two phased-out types of PFAS chemicals. They pressed Wheeler for other "immediate actions" to protect the public from other versions of the industrial compounds. Senate Minority Leader Chuck Schumer, D-N.Y., also called for legal limits and said if EPA balked, Wheeler "didn't deserve" to run the agency...

WASHINGTON, D.C.

WASHINGTON POST

EPA vows national action on toxic 'forever' chemicals The Environmental Protection Agency on Thursday unveiled what officials called a historic effort to rein in a class of long-lasting chemicals that scientists say pose serious health risks. But environmental and public health groups, some lawmakers and residents of contaminated communities said the agency's "action plan" isn't aggressive enough and that the EPA should move more quickly to regulate the chemicals in the nation's drinking water. The EPA promised last spring to devise a plan to address the widespread contamination caused by perfluoroalkyl and polyfluoroalkyl compounds, or PFAS, which have been detected in the drinking water of millions of Americans. The agency's leader at the time, Scott Pruitt, called the problem "a national emergency." The man-made chemicals have long been used in an array of consumer products, from water-repellent fabrics to nonstick cookware to grease-resistant paper products, as well as in firefighting foams used at airports and on military bases. Long-term exposures have been associated with an array of health problems, including thyroid disease, weakened immunity, infertility risks and certain cancers. Because they do not break down in the environment, they have become known as "forever chemicals." In its plan Thursday, agency officials vowed by year's end to begin the lengthy process of setting drinking water limits for two of the most widely detected compounds, known as PFOS and PFOA. The EPA also said it will issue new guidance on cleaning up groundwater contaminated by the chemicals, require more testing for PFAS chemicals in public water systems around the country, undertake more research on the health effects of less-studied compounds and better communicate the risks to communities around the country. "Americans count on EPA every time they turn on their faucet," EPA Acting Administrator Andrew Wheeler said at a news conference in Philadelphia on Thursday. "That's why communities across the nation have asked us to provide a comprehensive approach to understanding PFAS in drinking water. Our action plan provides just that." "Through these actions, we are stepping up to provide the leadership the public needs and deserves," Wheeler said...

Federal employees would receive 1.9 percent raise under spending agreement Federal employees would get a 1.9 percent pay raise as part of the far-reaching spending bill that Congress is expected to pass by week's end to keep the government operating, according to three Democratic lawmakers active in federal workplace issues. A measure due to be introduced late Wednesday to fund federal agencies that otherwise face a second partial shutdown starting Saturday will include a raise of that amount, House Majority Leader Steny H. Hoyer (D-Md.) told reporters. That would override the salary rate freeze that President Trump imposed on federal employees in late December because Congress had not acted. And it would still be below the 2.6 percent hike the House approved two weeks ago. "We passed a bill, as you

know, at 2.6, which is parity with the military. I think it should be 2.6, and in the future I will pursue that and other members will pursue it. But in this bill, it's going to be at 1.9 percent," Hoyer said. "While we review the details of this bipartisan package, my hope is that we can agree on a deal to keep government running and allow our federal employees to do their jobs — with a 1.9 percent cost of living increase," Sen. Chris Van Hollen (D-Md.) said in an emailed statement. "I am glad to hear that the funding bill will include the 1.9 percent pay raise for federal employees that my Senate colleagues and I have long called for," Sen. Mark R. Warner (D-Va.) said in an emailed statement. "This modest pay raise — that the Senate voted to advance more than six months ago — is the very least we can do for these dedicated workers."...

EPA official Bill Wehrum stayed in close touch with his former law firm, new emails show Bill Wehrum, the Environmental Protection Agency's top air policy official, continued to stay in close touch with employees at his former law firm after joining the Trump administration, according to documents released this week under the Freedom of Information Act. The trove of emails between Wehrum and officials at Hunton & Williams — which changed its name to Hunton Andrews Kurth after a 2018 merger — shows the extent to which he communicated and socialized with his former associates even though many of them had clients with business before the EPA. The documents were released Monday as part of ongoing litigation by the Sierra Club, an advocacy group. Wehrum, who worked as a partner at Hunton between stints at the EPA under Presidents George W. Bush and Donald Trump, represented a number of industry groups during his time as a corporate lawyer. Those included American Fuel & Petrochemical Manufacturers, Duke Energy and Exxon Mobil...

The Daily 202 Blog: Green New Deal vote foreshadows GOP efforts to make sure 2020 is not just a referendum on Trump
THE BIG IDEA: President Trump will struggle to get reelected if the 2020 campaign is purely a referendum on his own performance, but elections typically become choices between two flawed candidates and their visions. Republicans are banking on this, and Trump is doing everything possible — more than a year before we learn the identity of the presumptive Democratic nominee — to paint an apocalyptic picture of what would happen if he loses. "They're coming for your money, and they're coming for your freedom," the president said in El Paso on Monday night. -- **Rep. Alexandria Ocasio-Cortez (D-N.Y.) won't be on the ballot next year anywhere but the Bronx and Queens, but you wouldn't know that from listening to GOP messaging.** Republicans have gleefully elevated her into the avatar of the opposition, and her botched rollout of the Green New Deal resolution has given them fodder for over-the-top attacks that foreshadow how the next 21 months will likely play out...

DELAWARE

WILMINGTON NEWS JOURNAL

Southern Delaware chicken plant spills up to 1 million gallons of wastewater Mountaire Farms has been ordered to clean up to 1 million gallons of partially treated wastewater that spilled into the ground at its chicken plant near Millsboro, state officials said on Wednesday. The spill was discovered about 5 a.m. on Wednesday and was caused "by mechanical failure of a wastewater system component," according to a press release issued by the Delaware Department of Natural Resources and Environmental Control nearly 12 hours after the release. State environmental officials said the leak was contained on Mountaire's property and did not reach nearby Swan Creek. "DNREC has directed Mountaire Farms to take all appropriate steps to mitigate this release and minimize any adverse impacts to the environment," DNREC said in the release. Cleanup efforts are underway, as is an investigation by state regulators, according to the agency. DNREC estimated between 750,000 and 1 million gallons were released, as reported to the state by Mountaire on Wednesday. The agency did not say how long the "partially treated" wastewater had been leaking. "The portion of our wastewater system that caused the release just went into operation in late January, and is designed to reduce nutrient levels in the wastewater that is sprayed on the land where the release occurred," Mountaire spokeswoman Cathy Bassett said in an email. "There is absolutely no risk to our employees, to the public, or to the environment as a result of this release. Cleanup should be completed by this evening and the recycling operation will resume tomorrow." Meanwhile, Mountaire is facing several lawsuits related to violations of its state-issued waste

disposal permits. Two separate law firms are pursuing state- and federal-level cases against the company, alleging that violations found by state officials could have harmed the health and drinking water quality of neighbors. "This is why my clients do not trust Mountaire or DNREC to keep Mountaire's plant safe," said attorney Thomas Crumplar, who is representing dozens of neighbors. Mountaire's processing plant on the outskirts of Millsboro off Route 24 processes nearly 2 million chickens every week, among other poultry-related operations. It disposes of sludge and treated wastewater from those processes on hundreds of acres of nearby farm fields. In 2017, state environmental regulators issued a notice that the company had violated those permits multiple times, mainly in the summer of 2017 but as far back as 2015. Violations included high levels of nutrients and bacteria in wastewater, as well as circumventing critical steps in the treatment process, as previously reported by The News Journal.

MIDDLETOWN TRANSCRIPT

Carper gives opening statement at invasive species hearing Sen. Tom Carper gave the opening statement at the Feb. 13 U.S. Senate Environment and Public Works Committee hearing, "The Invasive Species Threat: Protecting Wildlife, Public Health and Infrastructure." "Since our last hearing on invasive species in March of 2017, our committee has worked across the aisle to try to address the challenges these species create for public health, infrastructure and native wildlife," said Carper. "The WILD Act, which we reported from our EPW Committee last week, directs federal agencies to manage proactively for invasive species, and it creates a new 'genius prize' to spur innovation in managing invasive species. I am proud of our committee's ongoing work on the WILD Act, and I urge its swift passage and enactment into law by this Congress. Our 2018 Water Resources Development Act also included provisions to target invasive species in specific states, including Asian carp in the Great Lakes," said Carper...

ASSOCIATED PRESS (Del.)

Mountaire Farms reports spill of up to 1 million gallons of wastewater State environmental officials say a southern Delaware poultry processing facility with a history of wastewater violations has reported an accidental discharge of up to 1 million gallons of partially treated wastewater. Officials say Arkansas-based Mountaire Farms reported that the release was discovered about 5 a.m. Wednesday after a wastewater system component failed. Mountaire says the release was contained onsite, with no discharge to nearby Swan Creek. Last year, Mountaire agreed to pay a \$420,000 civil penalty and offer an alternative water supply to nearby residents whose wells have been contaminated with high levels of nitrates. In a consent decree with state officials, the company also agreed to address problems with the wastewater treatment system at its Millsboro plant. Mountaire is also being sued by area residents complaining of water pollution. Officials say Mountaire Farms has reported an accidental discharge of up to 1 million gallons of partially treated wastewater.

WEST VIRGINIA

CHARLESTON GAZETTE-MAIL

Natural gas producer EQT to pay \$53.5M to settle royalty dispute The second-largest natural gas producer in West Virginia will pay \$53.5 million to settle a lawsuit that alleged the company was cheating thousands of state residents and businesses by shorting them on gas royalty payments, according to terms of the deal unsealed in court this week. Pittsburgh-based EQT Corp. agreed to pay the money to end a federal class-action lawsuit, brought on behalf of about 9,000 people, which alleged...

WEST VIRGINIA PUBLIC BROADCASTING

EQT Agrees to \$53 Million Settlement for Improper Gas Royalty Payments Natural gas driller EQT Corporation has agreed to settle a class action lawsuit brought by thousands of West Virginia gas owners. In the preliminary settlement agreement approved today, the company said it will pay \$53.5 million for failing to make proper gas royalty payments between 2009 and 2017. The class action lawsuit, Kay Company, LLC, et al. v. EQT Production Company, et al., was filed in 2013. More than 10,000 West Virginia gas owners who had entered into agreements with EQT joined the suit. They argued the company, which is the second largest gas producer in the state, improperly reduced royalties owed by taking unnecessary deductions. Participants said EQT should not have subtracted money from royalty payments for activities taken "post-production" including deducting the cost of transporting and processing gas. EQT had argued royalty payments were fair and said deducting "post-production" costs was routine. Under the settlement agreement, the company said it will stop the practice "on leases determined by the court to not permit deductions," according to a press release by the company. In the release, EQT characterized the settlement as a way to win back the confidence of West Virginia residents and community leaders. "This was an opportunity to turn over a new leaf in our relationship with our West Virginia leaseholders and this mutually beneficial agreement demonstrates our renewed commitment to the state of West Virginia," stated CEO Robert McNally. Reporting from the Charleston-Gazette Mail and ProPublica show the company and other drillers in the state have litigious track record related to royalty payments. EQT is also suing to gut a 1982 royalty law that was meant to boost royalty payments to gas owners. Individuals and companies that produced and/or sold gas to EQT between December 8, 2008 through December 31, 2017 may be eligible for settlement benefits under the deal. The deal still needs final approval from a court. A hearing is scheduled for July 11, 2019.

Senate Reauthorization of National Public Lands Fund to Benefit W.Va. The U.S. Senate this week overwhelmingly voted to reinstate a popular program that uses revenue generated by offshore oil and gas drilling to protect public lands. In a 92-8 vote, the Senate passed the "Natural Resources Management Act," a sweeping public lands package. In addition to permanently reauthorizing the Land and Water Conservation Fund, the bill places more than 1 million new acres of wilderness under protection, including the the Appalachian Forest Heritage Area in Randolph County. The Land and Water Conservation Fund, or LWCF, was created more than 50 years ago to protect, preserve and acquire public lands and waters and make them available for public recreation. In West Virginia, it's been used to make improvements to parks and public spaces in 54 of the state's 55 counties. It paid for the acquisitions of popular recreation areas including the New River Gorge National River, Dolly Sods and the Gauley River National Recreation Area. "This is truly the part of the legislation that really carries the water, figuratively speaking," West Virginia Democratic Sen. Joe Manchin said, speaking from the Senate floor Tuesday. "This is a simple, yet highly effective conservation tool with unrivaled success over the last 50 years." Manchin said West Virginia's outdoor recreation industry supports 91,000 jobs and brings millions of dollars in economic benefits to the state annually. As ranking member of the Senate Energy and Natural Resources Committee, Manchin played a key role in getting the bill passed in the Senate. Environmental groups praised the bill and Manchin's efforts. "Senator Manchin's leadership to get this bill across the finish line will help ensure that future generations of West Virginians can access their public lands for hunting, fishing and other outdoor traditions enjoyed by so many in the Mountain State," stated Jamie Williams, president of The Wilderness Society...

W.Va. Department of Agriculture Wants Booming Hemp Industry Assistant Commissioner of the West Virginia Department of Agriculture joins us to talk about hopes of establishing a booming hemp industry in the state, and help needed from lawmakers. We also hear about the Department of Agriculture's other financial needs, as well as a program to push more local food production. The Ohio River provides drinking water for more than 5 million people. A multi-state commission charged with ensuring water quality in the River will consider whether to eliminate its pollution control standards on February 14th. Thousands of people have expressed opposition. The Allegheny Front's Julie Grant reports that others say one reason to drop the standards is that some states never even adopted them. West Virginia Morning is a production of West Virginia Public Broadcasting which is solely responsible for its content. Support for our news bureaus comes from West Virginia University, Concord University, and Shepherd University.

WEST VIRGINIA METRO NEWS

West Virginia Small Farm Conference underway in Charleston CHARLESTON, W.Va. — Hundreds of small farmers and those interested in small farming are gathering at the Charleston Coliseum and Convention Center

this week. The 15th annual West Virginia Small Farm Conference hosted by West Virginia University Extension Services, in conjunction with the West Virginia Department of Agriculture (WVDA) and various partners, started on Wednesday morning. “We have farmers that come from all over the state and across the region,” Lisa Jones, the Program Coordinator for WVU Extension Service Small Farm Center said. “They come for our educational classes, we have a trade show, our Winter Blues Farmers Market on Saturday, a seed swap, popcorn competition, and more. All kinds of fun stuff that represent small farming and farming specifically in West Virginia.” Wednesday morning kicked off with various educational courses anyone can take. The conference has a 3-day pass, which is only good for Thursday through Saturday, being sold for \$210 and a one day pass, good for any day, being sold for \$90. A pass will allow an individual to take any course that day. Jones said there is something for every farmer with over 100 educational courses to choose from. She mentioned classes like agriculture tax, food safety, and farm marketing for those beginners in farming, and courses such as research trials and efficient production practices, for advanced farmers. “We offer a lot of different classes that are good for individuals who are just starting out,” Jones said. “Beginners that may or may not have a farm ready yet, they are really just entry level. We also offer classes to individuals who are much further along, much more advanced.”...

Advocates of multi-county mountain biking trail eye tourism boom MORGANTOWN, W.Va. — The bill considered a massive opportunity to increase local tourism for North Central West Virginia is slowly taking shape. After the recent passing of two bills in the House of Delegates and the State Senate, the Mountaineer Trail Network is gaining more ground in turning concept into reality. “It truly is an economic project,” said trail advocate Jason Donahue on WAJR’s “Talk of the Town” With Dave Wilson and Sarah Giosi. Donahue, founder of FEOH Realty, said the way to increase tourism in the region is actually quite simple. “If you want to increase tourism, you need to increase the things that you offer an outsider to do,” he said. “You need to have more things. We need to have more reasons for people to come here.” If the system is fully achieved, there’s belief from legislators and advocates for the project that tourism could boom in the region — thanks to the trail that would exist in parts of Marion and Harrison counties. “It truly is an economic project,” he said. “That’s the goal — it’s to bring people from out of town into our community and give them a good experience.” The bill passed in the House, allows for the formation of the Mountaineer Trail Network Recreation Authority, which will allow Donahue and other members of the board to begin negotiating for funds in order to make the trail fully realized. The Senate also passed a bill which allows for three or more adjacent counties to form a multicounty trail network authority. With both bills complimenting each other, it allows for Donahue and other representatives to present a funding plan to the five counties that would be involved...

ASSOCIATED PRESS (W. Va.)

WV to receive \$302,500 in Fiat Chrysler emissions settlement West Virginia will receive \$302,500 as part of a multistate settlement with Fiat Chrysler over emissions cheating allegations. West Virginia Attorney General Patrick Morrissey announced the state's portion of the settlement Tuesday...

MARYLAND

BALTIMORE SUN

Ellicott City, Western Maryland to get \$4.5 million in federal funds for to repair flood-damaged roads Maryland is slated to receive \$4.5 million in federal funding to help repair roads damaged during floods in Ellicott City and Western Maryland last June. U.S. Sens. Chris Van Hollen and Ben Cardin announced the money for the Maryland State Highway Administration on Wednesday. The funds, from the...

CHESAPEAKE BAY JOURNAL

Maryland oysters take a hit from a year of extreme rain Last year’s unrelenting rains apparently killed off significant

numbers of Maryland oysters in parts of the Chesapeake Bay watershed and generally impaired their reproduction — but the deluge helped survivors fend off disease. Preliminary results from last fall's annual oyster survey by the state Department of Natural Resources found high freshwater-related mortalities in the upper Potomac River and to a lesser extent in the Upper Bay. The survey also found that the number of new oysters produced last year fell below the long-term average. DNR officials briefed the department's Oyster Advisory Commission Monday on the survey, which regularly canvasses more than 250 oyster "bars" or reefs around the Bay and in its rivers and creeks. A crew tows a dredge across each bar and tallies the number of live and dead oysters recovered, measures the survivors and checks for tiny "spat" or baby oysters. The survey also sends a random selection of bivalves to the state-federal laboratory in Oxford, MD, to be examined for diseases. Chris Judy, chief of the DNR's shellfish division, said the die-offs and poor reproduction are a result of heavy rains turning the Bay's semi-salty water much fresher than normal. Oysters tend not to reproduce well in fresher water, and it can even kill them in extreme cases. Last year's weather was extremely wet. Heavier than normal rains from May through November produced the highest river and stream flows recorded in 34 years, Judy said, pushing unusual amounts of fresh water into the Bay. With stream-flow still elevated, Judy said die-offs may continue, and he noted that watermen have reported finding more dead oysters after the survey ended around Thanksgiving...

VIRGINIA

VIRGINIA MERCURY

Virginia Dems blast Trump team's moves towards offshore drilling WASHINGTON — Virginia Democrats are calling on the Trump administration to reverse course on recent moves that could allow seismic airgun testing and offshore drilling off the East Coast. All nine Democrats in Virginia's U.S. congressional delegation — two senators and seven representatives — wrote a letter to Commerce Secretary Wilbur Ross and Acting Interior Secretary David Bernhardt opposing the administration's efforts to expand drilling, including potentially off the coast of Virginia. "Our constituents remain concerned with the administration's efforts to open the commonwealth's offshore area to oil and gas exploration and drilling," they wrote. Last November, the National Oceanic and Atmospheric Administration within the Commerce Department issued five Incidental Harassment Authorization Permits, a step toward allowing companies to conduct seismic airgun blasting in the Atlantic Ocean. The technique is used to locate oil and gas beneath the ocean floor. The Democrats on Tuesday asked the administration to revoke those permits and deny all pending seismic survey permits for the Atlantic. They also expressed opposition to including Virginia's offshore area in the Interior Department's final 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program. "In Virginia alone, more than 20 communities have officially voiced their opposition to seismic surveys and offshore drilling, including Virginia Beach and Norfolk — Virginia's most populous cities," they wrote. In addition to Sens. Tim Kaine and Mark Warner, the letter was signed by U.S. Reps. Donald McEachin, Bobby Scott, Don Beyer, Elaine Luria, Gerald Connolly, Jennifer Wexton and Abigail Spanberger. "The commonwealth has a diverse and robust economy based on sectors like tourism, recreation, aquaculture, deepwater port commerce, and Department of Defense infrastructure. Moving forward with seismic testing and offshore drilling could threaten these critical engines of Virginia's economy, along with the valuable ecosystems along the coast and within the Chesapeake Bay. These shores, and the ecosystems and jobs they support, are simply too vital to the commonwealth to risk," they added...

Commentary: For job creation, solar is a winner: Virginia's solar jobs rose nine percent in 2018 The Solar Foundation has released its National Solar Jobs Census for 2018, showing solar jobs in Virginia increased from 3,565 in 2017 to 3,890 in 2018, an increase of nine percent. That puts Virginia 20th in the nation for solar jobs, though only 34th if measured on a per capita basis. Nationwide, solar job numbers fell 3.2 percent to 242,000 jobs as the Trump administration's tariffs on solar panels took a toll, yet 29 states still saw increases. The Solar Foundation projects a seven percent increase in 2019. The Virginia job numbers sound good until you compare us to the competition. To the south of us, North Carolina continues to eat our lunch, with 6,719 solar jobs, while Maryland to the north has 4,515. Both these states lost jobs compared to 2017, but remain way ahead of Virginia both in absolute terms and jobs per capita. (Not surprisingly, they also have a lot more solar installed). In fact, measured in solar jobs per capita, Virginia remains an East Coast laggard. Every state on the Atlantic except Georgia and Pennsylvania has more solar workers per capita than Virginia has—and

those two states are not far behind us. This is especially unsettling because while North Carolina and states to the north of us have renewable portfolio standards (RPS) that require their utilities to buy renewable energy, most southeastern states do not. The fact that they are beating Virginia on solar jobs suggests we have a lot of room left for improvement. In spite of shrinking employment and the impact of tariffs, solar installations nationally rose eight percent in 2018, according to Bloomberg New Energy Finance in its Sustainable Energy in America Factbook. (BNEF also shows higher job numbers for solar than the Solar Foundation recorded, possibly due to different methodologies.) More installed capacity by fewer workers may reflect higher productivity on the part of the industry, as installers learn to work better and faster, and as communities support them with streamlined permitting and public education...

BLOOMBERG ENVIRONMENT

Virginia Carbon Trading Link Likely to Survive GOP Objections Virginia Republicans' bid to block the state's intention of joining a Northeastern greenhouse gas trading appears doomed given Gov. Ralph Northam's (D) vow to veto the measure. The bill, H.B. 2611, would block Virginia from joining the Regional Greenhouse Gas Initiative, a nine state emissions trading program for power plants. It narrowly passed the Senate Feb. 13 on a party line 20-19 vote. Having squeaked through the House Jan. 29, it doesn't appear Republicans have the votes to override Northam's promised veto. Northam "vetoed similar legislation last year, and he remains strongly opposed to this bill," press secretary Alena Yarmosky, told Bloomberg Environment. The State Air Pollution Control Board last October that would require electric power companies like Dominion Energy to keep their carbon emissions below a statewide cap of 28 million tons per year in 2020. The rules would link Virginia with the nine states in the Regional Greenhouse Gas Initiative, a carbon dioxide emissions trading program. During House consideration, sponsor Del. Charles Poindexter (R) said the bill wasn't a statement about regional carbon trading systems or climate change policy but rather "whether the people get to vote on the scheme." If it does join, Virginia, with emissions of 34 million tons per year from 33 power plants, would become the second largest state in RGGI, as measured by carbon emissions, after New York. . .

WDBJ-TV 7 ROANOKE

Bedford awarded grant for redevelopment of former middle school site BEDFORD, Va. -- The old Bedford Middle School campus is one step closer to new life. The Town of Bedford has been awarded a \$220,000 grant from the Virginia Department of Environmental Quality and Virginia Economic Development Partnership through the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund program, according to a press release from the town. The brownfields grant is generally used to address environmental issues that may be holding a property site back from redevelopment. According to Mary Zirkle, Town Economic Development Coordinator, the grant will be directed to the Bedford Middle School property, specifically the building locally known as "Old Yellow." The Old Yellow building was built in 1912. It has sat vacant since 1989. Once the town jewel, now only traces of its glory days remain. The ceilings are leaky, tiles are out of place and paint is barely hanging on the walls. And yet, town leaders see potential. Zirkle walked WDBJ7 through the old building Tuesday. She pointed to the strong concrete floors and ornate architecture...

MISCELLANEOUS

GOVERNMENT EXECUTIVE

Shutdown-Avoiding Spending Package Includes 1.9 Percent Pay Raise for 2019 Congress is poised to override President Trump's decision last year to freeze federal civilian pay in 2019, according to House leaders. A spending deal between House and Senate appropriators released late Wednesday provided a 1.9 percent across-the-board raise to federal workers this year, the same amount agreed to last year before negotiations broke down over Trump's demand for \$5.7 billion in funding for a wall along the U.S.-Mexico border. Trump's refusal then to sign onto a short-term continuing resolution triggered a 35-day partial government shutdown. The legislation would apply the pay increase retroactive to Jan. 1. Congress has until midnight Friday to approve a measure to avert another shutdown, which would impact the

departments of Transportation, Housing and Urban Development, State, Interior, Agriculture, Treasury, Commerce, Homeland Security and Justice, as well as the Environmental Protection Agency, NASA, Office of Personnel Management and other independent agencies. On Monday night, negotiators announced that they had reached a deal “in principle” to fund the government until the end of the fiscal year. That deal includes \$1.375 billion in funding for a border “barrier,” and although Trump has not outright stated he would sign it, he has hinted that he would do so by predicting there would not be a second shutdown. The Senate plans to vote on the deal Thursday and House leadership said that chamber plans to put the measure up for a vote Thursday evening, after lawmakers return from funerals for the late Reps. John Dingell, D-Mich., and Walter Jones, R-N.C...

Republican Senator Says Infrastructure Proponents Need to Be Realistic WASHINGTON — The Republican chairman of a key Senate committee on Wednesday called for “realism” from both parties about the possibility of passing a sweeping infrastructure package this year. After an infrastructure hearing at the Senate Commerce Committee featuring testimony from transportation industry representatives, U.S. Sen. Roger Wicker of Mississippi told reporters questions about increasing the federal gas tax and indexing it to inflation “ought to be asked.” Wicker said Republican-backed tax reform passed in 2017 increases the likelihood there is enough economic growth to fund an infrastructure bill, but he wasn’t sure one will materialize in 2019. “I don’t know, but there’s going to have to be some realism on both sides of the aisle about how to pay for it,” Wicker said. “We can do little reauthorizations within the current constraints, but to do something big we’d have to fess up and agree that you have to pay for things.” Representatives from the American Association of Port Authorities, Association of American Railroads, American Trucking Association, and Transportation Trades Department all urged senators to support increasing the gas tax to some degree. Trucking accounts for four percent of vehicles on U.S. highways but funds nearly half of the Highway Trust Fund, and still truckers are willing to pay “a modest increase” in the price of fuel, said Chris Spear, president and CEO of the ATA...

Lawmakers Investigate Back Pay Issues, New Post-Shutdown Clarification on Promotions, and More House Democrats announced Wednesday that they would investigate reports of incomplete back pay to federal employees impacted by the 35-day partial government shutdown and problems related to a variety of deductions typically taken from employee paychecks. Last week, federal workers and agencies responsible for payroll processing confirmed that thousands of Homeland Security Department employees had not yet received their first paycheck of the year, while workers at other agencies that were shuttered during the lapse in appropriations were still owed some of their back pay. Additionally, the National Finance Center and Interior Business Center, two agencies that process payroll for hundreds of federal entities, had not taken out several normal payroll deductions, such as court-ordered child support, alimony payments, Thrift Savings Plan loan repayments and union dues...

BLOOMBERG ENVIRONMENT

EPA to Regulate Nonstick Chemicals That Contaminate Water The EPA will set a nationwide drinking water standard for two chemicals used in nonstick coating and firefighting foam, going against earlier reports that it would instead let states set their own standards, the agency announced Feb. 14. However, while the Environmental Protection Agency said it will begin the process of establishing these water standards by the end of 2019, it could ultimately be years before water utilities across the country will have to start the costly process of monitoring and filtering the chemicals out. But the fact that EPA is even launching this process goes against earlier reports out of EPA, where officials indicated they were leaning against a nationwide drinking water standard due to the wide variability of groundwater contamination levels in different parts of the country. The two chemicals at issue here are PFOA and PFOS, the key ingredients in products like Teflon or Scotchguard. These chemicals were produced by 3M Co., and DowDuPont Inc, and others. PFOA and PFOS are two members of a broader family of chemicals known as per- and polyfluoroalkyl substances, or PFAS....

DuPont Faces Legal Risks in Today’s PFAS News The EPA’s plan to address nonstick chemicals in drinking water means more monitoring of water supplies, which could mean more lawsuits for DowDuPont Inc. and the Keds shoe manufacturer. Increasing monitoring and developing more detection methods are among the steps the Environmental Protection Agency plans to take to understand where the group of chemicals, per- and polyfluoroalkyl substances, or PFAS, are being found and why, Dave Ross, assistant administrator for the EPA’s Office of Water, said at a Feb. 14 briefing. The EPA began to recognize the risks and work to control some PFAS in the early 2000s. Asked why it is taking so long to address them, Ross said the EPA initially focused on getting two specific chemicals off the market. Those two chemicals are perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA).The agency also focused on getting

substitutes for both chemicals onto the market, he said. Much of the attention on the EPA's action plan has focused on whether or not the agency would regulate PFOS and PFOA, which are no longer made in the U.S. Those chemicals build up in human and animal bodies, don't degrade in the environment, and could harm people's health. They also have been detected in drinking water systems across the country. Ross said the agency will start the rulemaking process for both chemicals this year, but he couldn't predict the result that will follow public comment and scientific critiques. In addition, the agency plans to further study ways different members of the PFAS group could affect human and ecological health and aims to increase its oversight of PFAS substitutes from chemical makers, according to Ross...

Progress on Air Permit Enforcement? Dropping air pollution permitting as an EPA enforcement priority is a measure of the 20-year-old program's success and not a capitulation to polluters, as some critics are suggesting, former agency attorneys said. The Environmental Protection Agency is weighing whether to drop new source review air pollution permits from the list of enforcement priorities after nearly 21 years. The agency said it has reached dozens of settlements over permitting violations since it made permits a priority in 1998 and that regional offices are capable of handling any needed oversight. "Now it's ready to declare the enforcement initiative a success and move on to other concerns like drinking water utility compliance," Andrew Stewart, who served in the EPA Office of Enforcement and Compliance Assurance under both President George W. Bush and President Barack Obama—from 2003 to 2015—including as a division director in the civil enforcement office, told Bloomberg Environment. The EPA is in the process of deciding which environmental violations should get the most scrutiny during the 2020 through 2023 time period. With limited resources and pressing concerns like lead exposure through tap water, some former enforcement officials told Bloomberg Environment it makes sense the agency would drop one of its oldest targets. "I think it's more a question of where the agency will deploy its limited enforcement resources on a national level," said Stewart, who now is a counsel in the Washington, D.C., office of Sidley Austin LLP. Under the Clean Air Act, new source review permits are required for any construction or expansion of industrial facilities like power plants or refineries that cause air pollution to increase significantly. The permits require the facilities to install best available pollution controls in a process companies often complain is costly and takes too much time...

GREENWIRE / E&E NEWS

EPA to roll out PFAS plan tomorrow After much speculation, EPA will reveal its action plan for PFAS tomorrow morning. The agency's plan grabbed headlines in recent weeks after reports that it would not include a legal limit for two types of per- and polyfluoroalkyl substances, or PFAS, in drinking water. While EPA officials at the time assured the public that the plan had not yet been finalized, environmental groups do not expect tomorrow's plan to divert from what has been reported. EPA said the plan will "move forward" the maximum contaminant level process for two types of PFAS — PFOA and PFOS — under the Safe Drinking Water Act. Additionally, the plan will clarify EPA's cleanup strategies and expand monitoring for the group of chemicals. It will also improve "research and scientific foundation for addressing PFAS by developing new analytical methods and tools," according to a media advisory. PFAS are lab-made chemicals that have been linked to cancer and developmental issues in children. They are found in many products, including firefighting foam, nonstick cookware and outdoor clothing. The chemicals are in the drinking water of more than 110 million Americans, according to research from the Environmental Working Group. If EPA were to set a legal limit for the chemicals in its plan, it would be a welcome surprise to health advocacy groups. The agency hasn't regulated a new contaminant in drinking water since 1996. Whatever the decision, it's expected to generate buzz on Capitol Hill. A bipartisan group of 20 senators this month told acting EPA Administrator Andrew Wheeler that without a legal standard for PFOA and PFOS, "it is doubtful that a national management strategy will sufficiently confront the challenges PFAS chemicals pose to states and communities"

Appropriations: Fed pay hike, Butterfly Center protection in deal due today Bipartisan border security and spending legislation due out later today would bar construction of barriers at five areas along the U.S.-Mexico border, including the National Butterfly Center, as well as give federal employees a modest pay raise. House Majority Leader Steny Hoyer (D-Md.) said the legislation would be released after 4 p.m. today and would be on the House floor after 6:30 p.m. tomorrow. Congress needs to pass the deal and have it signed into law to avert another government shutdown by midnight Friday. "The overwhelming number of issues have been settled, but there are few issues still out there," Hoyer told reporters this morning, while discussing the legislation, which would contain seven annual appropriations bills including the Interior-EPA, Commerce-Justice-Science, State-Foreign Operations, Agriculture, and Transportation-Housing and Urban Development funding measures... Hoyer also confirmed a 1.9 percent pay raise for federal workers

for 2019, but noted that he had hoped for a 2.6 percent raise that would have matched the one given to military personnel. He also said it was unclear whether a proposal to give back pay to government contractors who were out of work during the 35-day partial shutdown would make it into the final accord. While predicting the legislation would pass the House and Senate, Hoyer said there is no guarantee from the White House. He noted, however, President Trump has not said he won't sign it...

EPA: Prosecutors drop some charges against regional boss Alabama prosecutors have trimmed the number of ethics charges facing Trey Glenn, EPA's former Southeastern regional administrator, according to a fresh indictment. The superseding indictment, returned by a Birmingham-area grand jury Friday and made public earlier this week, cuts the charges against Glenn from 20 to 15 and makes changes to the alleged violations of Alabama's ethics law. While the new filing does not give a reason for the changes, the charges against Glenn stem from the same circumstances that led to the original indictment brought last November. Before taking the EPA job in 2017, he had worked as a consultant for Drummond Co. Inc., a coal firm seeking to avoid financial liability for a Superfund cleanup; at the same time, a business partner of Glenn's in the same consulting firm was serving on the board that oversees Alabama's environmental agency. Last year, a federal jury convicted a former Drummond lobbyist and a former attorney for the company in a bribery scheme related to the cleanup...

REUTERS NEWS SERVICE

Republican senators pressure Trump's EPA pick over biofuels WASHINGTON (Reuters) - Five Republican senators are warning President Donald Trump's new pick to run the Environmental Protection Agency, Andrew Wheeler, that their support for his nomination may hinge on his biofuels policy. The senators, all from states hosting oil refineries, said they want to be assured that Wheeler would work to reduce the regulatory costs for oil companies of complying with the U.S. Renewable Fuel Standard before they decide on whether to back him as permanent chief of the EPA. The Renewable Fuel Standard requires oil refiners to blend increasing amounts of biofuels like corn-based ethanol into their fuel each year, or purchase blending credits from those who do. The measure is intended to help farmers and reduce U.S. dependence on foreign energy sources, but oil refining companies - like Valero Energy Corp and billionaire investor Carl Icahn's CVR Energy Inc - complain it costs them a fortune. "Without an adequate proposal to meaningfully lower the regulatory burden ... we will have serious concerns with your nomination," the five Republican senators said in a letter to Wheeler dated Feb. 11. The letter was signed by Ted Cruz of Texas, Pat Toomey of Pennsylvania, Michael Lee of Utah, as well as both John Kennedy and Bill Cassidy of Louisiana. The five were due to meet with Wheeler later on Wednesday night to discuss biofuels, according to two sources familiar with the matter. The EPA is working on a number of critical adjustments to its biofuel policy that are of interest to the oil industry, including resetting targets for annual biofuels blending volumes, lifting a summertime ban on higher-ethanol blends of gasoline, and proposing measures to limit speculation in the blending credit market...

FARM BUREAU NEWS

Farm Bureau Statement: EPA Proposal Promises Clean Water, Clear Rules (Press release) The following may be attributed to Zippy Duvall, President, American Farm Bureau Federation: "Today's release of a new draft Clean Water Rule is a major step toward fair and understandable water regulation on America's farms and ranches and other working lands. The previous rule would have treated much of the landscape as though it were water itself. That wasn't just confusing, but also illegal, which is why so many federal courts blocked its implementation. "We haven't yet examined every word of today's proposal, but even a quick look shows many of the previous rule's worst problems are on their way out. We will examine this rule in further detail in the coming days and look forward to a thorough discussion over the next few months. "Until then, farmers and ranchers continue to work hard every day to preserve the world around us. Agriculture Department data shows farmers and ranchers are devoting more of their land to conservation than ever before, thanks to USDA programs that let them do well while doing good. Just one example: Duck populations have recovered strongly from previous lows in the upper Midwest's Prairie Pothole Region, where they now number 17 percent above long-term averages: <https://www.fb.org/market-intel/wetlands-farmers-just-ducky>. We are proud of the progress farmers and ranchers have made in their fields and ranges, and we look forward to making even more progress with fair, clear and reasonable rules."

CNN

What are PFAS chemicals, and what are they doing to our health? PFAS chemicals are known as "forever chemicals," a family of potentially thousands of synthetic chemicals that are extremely persistent in the environment and in our bodies. PFAS is short for perfluoroalkyl and polyfluoroalkyl substances and includes chemicals known as PFOS, PFOA and GenX. They are all identified by signature elemental bonds of fluorine and carbon, which are extremely strong and what make it so difficult for these chemicals to disintegrate in the environment or in our bodies. PFAS chemicals have been highly utilized in various industries because of their ability to repel oil and water. They've been manufactured since the 1940s and can be found in Teflon nonstick products, stains and water repellants, paints, cleaning products, food packaging and firefighting foams. A growing body of science has found that there are potential adverse health impacts associated with PFAS exposure, including liver damage, thyroid disease, decreased fertility, high cholesterol, obesity, hormone suppression and cancer. These chemicals can easily migrate into the air, dust, food, soil and water. People can also be exposed to them through food packaging and industrial exposure. "I think that people should be concerned about the amount of PFOA and PFOS that is in our environment," Susan M. Pinney, a professor in the Department of Environmental Health at the University of Cincinnati, wrote in an email. "These are chemicals with long half-lives," meaning they persist in the environment as well as the body. They can also accumulate over time. In the body, they primarily settle into the blood, kidney and liver. A study from 2007 by the US Centers for Disease Control and Prevention estimated that PFAS chemicals could be detected in the blood of 98% of the US population....